## STATE OF CALIFORNIA BUSINESS, TRANSPORTATION AND HOUSING AGENCY DEPARTMENT OF CORPORATIONS

TO: Malcolm L. Felix, dba First American Financial 25342 Fairgreen
Mission Viejo, CA 92692

## **DESIST AND REFRAIN ORDER**

(For violations of sections 22100 and 22161 of the Financial Code)

The California Corporations Commissioner finds that:

- 1. At all relevant times, Malcolm L. Felix ("Felix"), doing business as First American Financial, maintained a principal place of business at 25342 Fairgreen, Mission Viejo, CA 92692.
- 2. On May 25, 2006, the California Corporations Commissioner issued Felix a broker's license under the California Finance Lenders Law ("CFLL"), Cal. Fin. Code § 22000 et seq., license number 603-B445.
- 3. On July 1, 2008, the California Corporations Commissioner issued an order revoking Felix's CFLL license for failure to maintain a surety bond in the amount of \$25,000.00 in accordance with Financial Code section 22112. The order was served on July 3, 2008. The license remains revoked.
- 4. On June 2, 2009, Felix ran an advertisement in the Los Angeles Times newspaper offering loans. The advertisement was titled "Fast Cash Low Rates." The advertisement further stated: "Income documentation not needed. Money available in 7 business days. Also FHA loans funded in 21 days. Refi special to 105 LTV." The advertisement stated the license number 603-B445.
- 5. The California Corporations Commissioner has revoked Felix's license and has not issued another license to Felix to engage in the business of a finance lender or broker, as required by Section 22100 of the Financial Code.

6. The advertisement published by Felix on June 2, 2009, was false, misleading, and
deceptive in that Felix does not currently possess any license under the CFLL and license number
603-B445 has been revoked.
Based upon the foregoing findings, the California Corporations Commissioner is of the
opinion that Malcolm L. Felix, dba First American Financial, has been engaged in the business of a
finance lender or broker without a license from the California Corporations Commissioner.
Pursuant to Financial Code section 22712, the California Corporations Commissioner
hereby orders Malcolm L. Felix, dba First American Financial, to desist and refrain from
engaging in the business of a finance lender or broker unless and until he is licensed or exempt.
Further, the California Corporations Commissioner is of the opinion that Malcolm L. Felix,
dba First American Financial, has advertised a statement or representation that is false, misleading, or
deceptive. Pursuant to Financial Code section 22712, the California Corporations Commissioner
hereby orders Malcolm L. Felix, dba First American Financial, to desist and refrain from advertising
any statement or representation that is false, misleading, or deceptive.
This Order is necessary, in the public interest, and for the protection of consumers.
Dated: June 17, 2009 Los Angeles, California
PRESTON DuFAUCHARD
California Corporations Commissioner
By
ALAN S. WEINGER
Deputy Commissioner Enforcement Division